

**DECLARATION AND POWER OF  
ATTORNEY ORIGINAL PATENT APPLICATION**

As a below named inventor, I hereby declare that:

**Type of Application**

This declaration is for the following type application:

<u>  X  </u>	Original
<u>     </u>	Design
<u>     </u>	National Stage of PCT
<u>     </u>	Supplemental
<u>     </u>	Divisional
<u>     </u>	Continuation
<u>     </u>	Continuation-in-Part (CIP)

**Inventorship Identification**

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD OF SCREENING AGENTS FOR THE TREATMENT AND PREVENTION OF  
CANCER AND CACHEXIA AND THE NEW USE OF SPECIFIC AGENTS FOR THE  
TREATMENT AND PREVENTION OF CANCER AND CACHEXIA**

**Specification Identification**

The specification of which:

<u>  X  </u>	is attached hereto.
<u>     </u>	was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).
<u>     </u>	was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____ (if any).

### **Acknowledgment of Review of Papers and Duty of Candor**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a), which provides:

A duty of candor and good faith toward the Patent and Trademark Office rests on the inventors, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

\_\_\_\_\_ In compliance with this duty there is attached an information disclosure statement, 37 CFR 1.97.

I do not know and do not believe that the invention was ever known or used in the United States of America before my or our invention thereof; I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application; and the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

### Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

  X   No such applications have been filed.

       Such applications have been filed as follows.

Country	Application Number	Date of Filing (Month/Day/Year)	Priority	
			Yes	No

### Claim For Benefit Of Earlier U.S. Application Under 35 USC §120

I hereby claim the benefit under Title 35, United States Code, § 120 and 37 CFR §1.78 of any U.S. application(s) for patent that is listed below.

Country	Application Number	Date of Filing	Patent	Pending
U.S.	60/421,679	10-28-02		Yes

### **Power of Attorney**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Edward D. Manzo, 28,139  
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### Declaration

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Dr. C. Murray Ardies, PhD  
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Inventor's Signature C Murray Ardies Date 17 September 2003